IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 24029 of 2004(I)

PETITIONER:

GEORGE VARKEY, SANKARAMANGALAM,
TIRUVALLA.

BY ADV. SRI.BOBY MATHEW
SMT.K.MEERA

RESPONDENTS:

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1. THE UNION OF INDIA, REP. BY SECRETARY,
MINISTRY OF FINANCE (DEPARTMENT OF REVENUE),
NORTH BLOCK, NEW DELHI 110 001.

2. THE ASSISTANT COMMISSIONER,
CENTRAL EXCISE KOTTAYAM DIVISION,
CMS COLLEGE ROAD, KOTTAYAM.

3. THE SUPERINTENDENT OF CENTRAL EXCISE,
THIRUVALLA RANGE I, O/O.THE CENTRAL EXCISE,
BICHEN'S BUILDING, CROSS JUNCTION, TIRUVALLA.

4. THE SUPERINTENDENT (PREVENTIVE),
CENTRAL EXCISE, KOTTAYAM.

BY ADV. SRI.JOHN VARGHESE, SCGSC
SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE COMMUNICATION BEARING O.C. NO 194/2002 DATED 04.03.2002 ISSUED BY THE 3RD RESPONDENT TO SANKARAMANGALAM TRAVELS.

EXT.P2: TRUE COPY OF THE EXPLANATION DATED 22.3.2002 TO EXT.P1 SUBMITTED BY SANKARAMANGALAM TRAVELS.

EXT.P3: TRUE COPY OF THE COMMUNICATION BEARING: O.C. NO. 731/2002 DATED 19.07.2002 ISSUED BY THE 3RD RESPONDENT TO SANKARAMANGALAM TRAVELS.

EXT.P4: TRUE COPY OF THE FURTHER EXPLANATION DATED 29.07.2002 IN REPLY TO EXT.P3 SUBMITTED BY SANKARAMANGALAM TRAVELS.

EXT.P5: TRUE COPY OF THE ORDER BEARING: C. No. IV/16/373/2002-ST DATED 09.04.2003 PASSED BY THE DEPUTY COMMISSIONER OF CUSTOMS AND CENTRAL EXCISE, CENTRAL EXCISE DIVISION, KOLLAM.

EXT.P6: TRUE COPY OF THE COMMUNICATION BEARING O.C. No. 581/04 DATED 19.07.2004 ISSUED BY THE 3RD RESPONDENT TO SANKARAMANGALAM TRAVELS.

EXT.P7: TRUE COPY OF THE SUMMONS BEARING O.C NO.207/04 DATED 03.08.2004 ISSUED BY THE 4TH RESPONDENT TO THE PROPRIETOR OF SANKARAMANGALAM TRAVELS.

RESPONDENTS' EXHIBITS: NIL

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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W.P.(C) NO. 24029 OF 2004

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Dated this the 25th day of July, 2007.

JUDGMENT

The matter pertains to the levy of service tax. It is submitted that the petitioner has submitted Exts.P2 and P4 before the 2nd and 3rd respondents. In case no orders have been passed on that representations the 2nd respondent will pass appropriate orders thereon with notice to the petitioner within three months from the date of receipt of a copy of this judgment.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

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